Gulf Hypoxia Program: U.S. Environmental Protection Agency Issues Guidance for State Cooperative Agreements

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The United States Environmental Protection Agency ("EPA") issued a June 9th memorandum titled:

Bipartisan Infrastructure Law: Gulf Hypoxia Program FY 22 Guidance for State Cooperative Agreements ("Guidance")

The *Guidance* was transmitted from Radhika Fox, EPA Assistant Administrator for Water to EPA Regional Water Division Directors and State Hypoxia Task Force Members.

The State of Arkansas is a member of the Mississippi River/Gulf of Mexico Hypoxia Task Force ("HTF").

J. Ryan Benefield, Deputy Director, Arkansas Natural Resources Commission, serves as a representative of the State. Further, Katie Mann of the Arkansas Natural Resources Commission is a state agency member of the Task Force coordinating committee.

The HTF includes:

- Five federal agencies
- 12 states bordering the Mississippi and Ohio Rivers
- National Tribal Council on behalf of Tribes

The Bipartisan Infrastructure Law ("BIB") provided $50 billion in funding for EPA to support states and tribes to address water issues. The funding allows EPA to invest in strategies to improve water quality in the Mississippi River/Atchafalaya River Basin and the Gulf of Mexico to reduce the hypoxic zone in the northern Gulf. $60 million is provided over five years for the issuance of grants to advance the Gulf Hypoxia Action Plan.

The June 9th *Guidance* is intended to provide information and guidelines on how the Gulf Hypoxia Program ("GHP") will distribute funds as cooperative agreements to the 12 Task Force member states. It applies to FY 22 BIL appropriations.

The *Guidance* contains sections which address:

1. HTF and BIL GHP Background
2. BIL GHP Priorities
3. BIL GHP Cross-Cutting Priorities

4. BIL GHP Requirements
5. BIL GHP Eligible Activities for State Workplans
6. BIL GHP Documentation and Reporting
7. BIL GHP Regional Oversight and EPA Staff Support
8. EPA Contacts
9. Appendix 1: Content of Application Submission
10. Appendix 2: BIL GHP Potential Nonpoint Source Project Ideas to Advance Implementation of State Nutrient Reduction Strategies
11. Appendix 3: BIL GHP Water Quality Monitoring Strategies

A copy of the *Guidance* can be downloaded here.